

### **REMARKS**

Claims 1-29 will be pending in the application after entry of this amendment. In this amendment, claims 18-30 have been renumbered as claims 17-29 to overcome an Office Action objection.

### **Claim Objections**

The Office Action objected to claims 18-30 because there is no claim 17. The Office Action asserts that the claims need to be renumbered (see Office Action, Page 2). Applicants have renumbered the claims as 17-29 and accordingly request that the objection be withdrawn.

### **Claim Rejections - 35 U.S.C. § 102 and § 103**

Claims 1-13, 16-19, 22-29 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 7,343,317 to Jokinen. Claims 14-15 and 20-21 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Jokinen. Applicants respectfully traverse the rejections.

### **Discussion of Jokinen**

Jokinen's disclosure is directed toward the distribution of advertising to mobile terminals. (Jokinen, Figure 1, Column 1, Lines 8-10). Jokinen discloses a network that Jokinen purports makes it possible for a broker to offer advertisers dynamically generated electronic coupons to be distributed to mobile terminal users that match criteria set by the advertisers. (Jokinen, Figure 1, Column 6, Lines 50-54). Information regarding the mobile terminal users is stored in databases 35, 36 at the mobile network. (Jokinen, Figure 1,

Column 5, Lines 14-15). The user location database 35 stores information regarding the location of the mobile terminal and thereby enables providing an advertising message to mobile terminal users at or near a particular location. (Jokinen, 18-22).

Notably, Jokinen's network pushes advertisements from a mobile network to mobile terminals through a network using criteria determined by the advertisers. Although, Jokinen contemplates providing the advertisement to only terminals at or near a particular location, Jokinen fails to disclose or suggest a profile that may be received from the mobile terminals and that the profile may have a product or service related preference.

In addition, there is nothing in the Jokinen disclosure that relates to or discusses meetings or targeting advertisements based on the location of the meetings.

#### Claims 1-16 and 23-28

Currently amended claims 1-16 recite a (means for) receiving a signal from the detected device and (means for) detecting a device profile corresponding to the device wherein the device profile contains a preference for a product or a service.

As explained above, Jokinen fails to teach or suggest this feature making the claims patentable over Jokinen. This feature is an important feature because it allows (the user of) the device to provide a preference for a product or service. An advertisement or electronic coupon may thus be provided to the device based on the provided preference of (the user of) the device. This feature allows the device to become part of the advertisement selection process making the user an active participant in the advertisement selection process.

In contrast, Jokinen teaches that advertisements are distributed to mobile terminal users through a mobile network when the advertisement matches criteria set by the advertiser (Jokinen, Column 6, Lines 50-54). Jokinen's system pushes matching advertisements to mobile terminal users if the advertisement matches the advertisers criteria, regardless of any preference of (the user of) the device. Thus any user preferences for products and services have no effect in the advertisement selection process making the

user a passive participant in the advertisement selection process.

#### Claims 17-22 and 29

Claims 17-22 and 29 recite the step of identifying a location for a meeting among the plurality of devices. The Office action avers that this limitation is taught by Jokinen at Column 5, Lines 33-39 and Column 7 lines 40-49). Applicant respectfully disagrees.

Specifically, the Office Action cited passages from Jokinen:

Another way of limiting the distribution of electronic coupons by location is to transmit electronic coupons in a limited transmission area such as with a short range communication link like Bluetooth within or near a store so that only people within the range of the communication link receive the offer. (Jokinen at Column 5, Lines 33-39).

The advertiser may also specify a minimum, maximum or average number of users it wishes the advertisement message to reach (which is also generally dependent on the budget), the location(s) of registered mobile terminal users in which vicinity the advertising message should be distributed (e.g., within a particular mall or store, within a particular neighborhood city, etc.), and the time of distribution (e.g. distribute to early bird shoppers before 11 a.m. only). Step 90 need not be performed first and may be performed at any time before step 97. (Jokinen at Column 7 lines 40-49)

Studying these passages and the rest of the Jokinen disclosure, Applicants were unable to find anything that disclosed or suggested identifying a location for a meeting. The first paragraph above, discusses limiting the transmission of coupons to a certain geographic area. The second paragraph above, describes advertiser criteria for targeting a message. Applicants concede that the passages may describe a location but describing a location is a far cry from identifying a location for a meeting. Nowhere, in the disclosure does Jokinen disclose or suggest identifying a location for a meeting, making the claims patentable over Jokinen.

### **Support for the Claim Amendments**

Support for the claim amendments may be found throughout the specification. Exemplary, express support for each of the claim amendments may be found in the following passages:

Claim 1: A method comprising: detecting a device capable of receiving and transmitting an electronic message (Application, Page 4, Lines 10-12); searching for a plurality of promotions stored in a storage module; (Application, Page 10, Lines 3-6); receiving a signal from the detected device and detecting a device profile corresponding to the device wherein the device profile contains a preference for a product or a service and a geographical boundary; (Application, Page 4, Lines 21-23, Page 8, Lines 19-20); and selecting a particular promotion from the plurality of promotions based on the preference for the product or the service and the geographical boundary associated with the device profile (Application, Page 10, Lines 18-20, Page 10 Line 22- Page 11 Line 1).

Claim 2: The method according to Claim 1 further comprising detecting the location of the device using the global positioning system (Application, Page 9, Lines 8-10).

Claim 3: The method according to Claim 2 wherein the geographical boundary is relative to the current location of the device (Application, Page 12, Lines 19-20).

Claim 4: The method according to Claim 1 wherein in the step of selecting a particular promotion the particular promotion is selected based on the valid hours of availability. (Application. Page 4, Line 17- Page 5, Line 2).

Claim 5: The method according to Claim 1 wherein in the step of searching for a plurality of promotions each of the plurality of promotions includes an electronic coupon. (Application, Page 4, Line 14).

Claim 6: The method according to Claim 1 wherein the device profile is received in the signal sent from the device (Application, Page 8, Line 19 – Page 9 Line 6).

Claim 7: The method according to Claim 1 further comprising detecting a promotion profile for each of the plurality of promotions (Application, Page 4, Line 21).

Claim 8: The method according to Claim 7 wherein the promotion profile for each of the plurality of promotions includes location information (Application, Page 4, Line 21).

Claim 9: The method according to Claim 7 wherein the promotion profile for each of the plurality of promotions includes a description of offerings (Application, Page 4, Line 21).

Claim 10: The method according to Claim 7 wherein the promotion profile includes days and time of validity for each of the plurality of promotions (Application, Page 4, Line 21).

Claim 11: The method according to Claim 7 wherein selecting the particular promotion is based on the promotion profile for each of the plurality of promotions (Application, Page 4, Line 21).

Claim 13: The method according to Claim 1 wherein the particular promotion displayed on the device includes a location field, a type of product or service field, an hours of availability field and a contact information field (Application, Figure 5).

Claim 14: The method according to Claim 1 wherein the device is associated with a particular user and has attributes that include a device attribute, a user identity attribute, a geographic boundary attribute and a product or service attribute (Application, Figure 5)..

Claim 15: The method according to Claim 1 wherein the device is associated with multiple users and has attributes that include a device attribute, a plurality of user identity attributes, a geographic boundary attribute and a product or service attribute (Application, Figure 5).

Claim 16: A system comprising: means for detecting a device capable of receiving and transmitting an electronic message (Application, Page 4, Lines 10-12); means for searching for a plurality of promotions stored in a storage module; (Application, Page 10, Lines 3-6); means for receiving a signal and detecting a device profile corresponding to the device wherein the profile contains a preference for a product or a service and a geographical boundary (Application, Page 4, Lines 21-23, Page 8, Lines 19-20); and means for selecting a particular promotion from the plurality of promotions based on the preference for the product or the service and the geographical boundary associated with the device profile (Application, Page 10, Lines 18-20, Page 10 Line 22- Page 11 Line 1).

Claim 17: A method comprising: detecting a plurality of devices capable of receiving and transmitting an electronic message (Application, Page 4, Lines 10-12); identifying a location for a meeting among the plurality of devices; searching for a plurality of promotions stored in a storage module (Application, Page 10, Lines 3-6); and selecting a particular promotion from the plurality of promotions based on the location of the meeting.

Claim 23: A system, comprising: a device detection module to detect a device associated with a user; a storage module to store a device record containing user information

associated with the user and a promotion record containing promotion information associated with a promotion; and a promotion location selection module to select a particular promotion based on the user information that includes a preference for a product or a service and a geographical boundary associated with the device, and the promotion information (Application, Page 10, Lines 18-20, Page 10 Line 22- Page 11 Line 1).

Claim 24: The system according to Claim 23 wherein the geographical boundary is relative to the current location of the device (Application, Page 12, Lines 19-20).

Claim 25: The system according to Claim 24 wherein the current location of the device is determined using a global positioning system. (Application, Page 9, Lines 8-10)

Claim 26: The system according to Claim 23 wherein the particular promotion selected by the promotion selection module includes an electronic coupon (Application, Page 4, Line 14).

Claim 29: A computer-readable medium having computer executable instructions for performing a method comprising: detecting a plurality of devices capable of receiving and transmitting an electronic message (Application, Page 4, Lines 10-12); identifying a location for a meeting among the plurality of devices; searching for a plurality of promotions stored in a storage module (Application, Page 10, Lines 3-6); and selecting a particular promotion from the plurality of promotions based on the location of the meeting.

**CONCLUSION**

Applicants submit that the above amendments and remarks place all of the pending claims in condition for allowance. Accordingly, a notice of allowance is respectfully requested.

By way of this amendment, Applicants have made a diligent effort to place the claims in condition for allowance. However, should there remain any outstanding issues, it is respectfully requested that the Examiner telephone Thomas F. Lebens at (805) 541-2800 so that such issues may be resolved as expeditiously as possible.

Respectfully submitted,

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